



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26145 of 2026
ODHC010611342026

Nabaratna Nayak

.....

Petitioner

Represented by
Mr.S.K.Panda,
Advocate

-versus-

State of Odisha and others

.....

Opposite Parties

Represented by
Mr. G. Mohanty, S.C.

CORAM:
JUSTICE SASHIKANTA MISHRA

Order No.

ORDER
10.9.2026.

01. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Standing Counsel for the State.
3. The Petitioner challenges the order of rejection passed by learned Addl. Tahasildar, Kuchinda in Mutation Case No.124/2026 mainly on the ground that the reason for rejection cannot be sustained in law inasmuch as the mutation was



refused on the ground of contravention of Section 22 of the OLR Act. However, the sale transaction took place in the year 1980 when the vendor being a 'Keuta' was not required to obtain any permission under Section 22 of the OLR as 'Keuta' was not included in the list of Scheduled Caste in the presidential order. It came to be included only in the in the year 2002. According to the petitioner, in view of the settled position of law, inclusion of 'Keuta' as a Scheduled Caste to the Presidential Order is prospective in nature. This Court is, however of the view that these are grounds that can also be raised in appeal.

4. The Writ Petition is therefore, disposed of granting liberty to the Petitioner to prefer appeal against the impugned order before the appropriate authority. If such appeal is preferred within fifteen days from today along with an application seeking condonation of delay, the delay shall be condoned and the appeal shall be heard on merit.

(Sashikanta Mishra)
Judge

AKB

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